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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,588	03/29/2000	OTGER WEWERS	112740-033	9579
29177	7590	03/30/2004	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			MILORD, MARCEAU	
			ART UNIT	PAPER NUMBER
			2682	12

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/509,588

Applicant(s)

WEWERS, OTGER

Examiner

Marceau Milord

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3- 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al (US Patent No 5335276) in view of Caswell et al. (US Patent No 6009082).

Regarding claim 3, Thompson discloses an integrated circuit (82 of figs. 7-8) in a communications terminal device (fig. 1, figs. 7-8; col. 2, line 54- col. 3, line 20; col. 10, lines 63-68) comprising: a microcontroller (180 of fig. 10) a radio-cell specific logic module (100 of figs. 10, 7 and 8 which is a module; col. 4, line 12- col. 5, line 68; col. 10, line 46- col. 11, line 12); a digital signal processor (76 of figs. 7-8) for digital voice processing (col. 11, lines 13-37; col. 17, lines 58- col. 18, line 26); and an interface (100 of figs. 7-8, and 10) to a digital voice memory (184 of figs. 7-8, and 10 ; col. 10, line 55- col. 11, line 37; col. 15, line 38- col. 16, line 36)

However, Thompson does not specifically disclose the feature of a call-answering functionality that is enabled by the microcontroller in combination with the digital voice memory.

Caswell et al, on the other hand, discloses a telephone module that allows the system to operate as a sophisticated telephone system. This system converts voice into a digital signal so that it can be transmitted or stored with other digital data, like computer information. The telephone function supports PBX and Centrex features such as call waiting; call forwarding, caller-ID and three-way calling. The voice mail portion allows this system to operate as telephone answering machine by storing voice messages as digitized voice files along with a time/date voice stamp (col. 2, line 35- col. 3, line 25; col. 5, lines 17-59). Furthermore, Caswell shows in figure 3, a controller circuit 313 that controls the DSP data circuit and the voice control DSP circuit 306 through serial input/output and clock timer control and dual port RAM circuit 306 respectively. The main controller circuit communicates with the voice control DSP through dual port RAM circuit 308 (col. 7, lines 1-67; col. 15, lines 1-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Caswell to the communication system of Thompson in order to use a telephone link as a communication link for high speed transmission of pre-recorded material and control codes to facilitate that transmission, limiting the use line for voice messaging as a recording or playback device.

Regarding claims 4 and 8, Thompson as modified discloses an integrated circuit in a communications terminal device (fig. 1, figs. 7-8; col. 2, line 54- col. 3, line 65) comprising: a microcontroller (180 of fig. 10) a radio-cell specific logic module (100 of figs. 10, 7 and 8; col.

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4, line 12- col. 5, line 68; col. 10, line 46- col. 11, line 12) wherein call-answering software is deposited in the microcontroller (col. 7, line 22- col. 8, line 55).

Regarding claims 5 and 9, Thompson as modified discloses an integrated circuit in a communications terminal device (fig. 1, figs. 7-8; col. 2, line 54- col. 3, line 65) comprising: a microcontroller (180 of fig. 10) a radio-cell specific logic module (100 of figs. 7-8, 10; col. 4, line 12- col. 5, line 68; col. 10, line 46- col. 11, line 12) wherein the microcontroller, the radio cell-specific logic module and the digital signal processor are connected to one another via an internal bus system (64 of figs. 7-8; col. 9, line 55- col. 10, line 68).

Regarding claims 6 and 10, Thompson as modified discloses an integrated circuit in a communications terminal device (fig. 1, figs. 7-8; col. 2, line 54- col. 3, line 65) comprising: a microcontroller (180 of fig. 10) a radio-cell specific logic module (100 of figs. 7-8, and 10; col. 4, line 12- col. 5, line 68; col. 10, line 46- col. 11, line 12) wherein the digital voice memory also is connected to the internal bus system (64 of figs. 7-8; col. 9, line 55- col. 10, line 68).

Regarding claim 7, Thompson discloses a mobile radio device (50 of fig. 1 or 90 of fig. 8) for wireless linking to a cellular radio network according to the DECT standard (fig. 1, figs. 7-8; col. 2, line 54- col. 3, line 65), comprising: an integrated circuit (82 of figs. 7-8) having a microcontroller (180 of fig. 10), a radio cell-specific logic module (100 of figs. 7-8, and 10; col. 4, line 12- col. 5, line 68; col. 10, line 46- col. 11, line 12); a digital signal processor (76 of figs. 7-8) for digital voice processing (col. 11, lines 13-37; col. 17, lines 58- col. 18, line 26); and an interface (100 of figs. 7-8, 10) to a digital voice memory (184 of figs. 7-8, and 10 ; col. 10, line 55- col. 11, line 37; col. 15, line 38- col. 16, line 36).

However, Thompson does not specifically disclose the feature of a call-answering functionality that is enabled by the microcontroller in combination with the digital voice memory.

Caswell et al, on the other hand, discloses a telephone module that allows the system to operate as a sophisticated telephone system. This system converts voice into a digital signal so that it can be transmitted or stored with other digital data, like computer information. The telephone function supports PBX and Centrex features such as call waiting; call forwarding, caller-ID and three-way calling. The voice mail portion allows this system to operate as telephone answering machine by storing voice messages as digitized voice files along with a time/date voice stamp (col. 2, line 35- col. 3, line 25; col. 5, lines 17-59). Furthermore, Caswell shows in figure 3, a controller circuit 313 that controls the DSP data circuit and the voice control DSP circuit 306 through serial input/output and clock timer control and dual port RAM circuit 306 respectively. The main controller circuit communicates with the voice control DSP through dual port RAM circuit 308 (col. 7, lines 1-67; col. 15, lines 1-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Caswell to the communication system of Thompson in order to use a telephone link as a communication link for high speed transmission of pre-recorded material and control codes to facilitate that transmission, limiting the use line for voice messaging as a recording or playback device.

Response to Arguments

2. Applicant's arguments with respect to claims 3-10 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 703-306-3023. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
MARCEAU MILORD

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